REMARKS

Applicant wishes to thank the Examiner for the detailed remarks, allowance of claims 21, 22, and 24, and the allowability of claims 9, 10, 16, 16, and 19. Claims 1, 11, and 23 have been amended. New claims 28-33 are presented. Accordingly, claims 1-33 are pending.

Claims 1-20 and 23-27 were rejected under 35 U.S.C. §112. Specifically to claims 1, 11, and 17, Applicant does not claim that the bridge portion flexes during insertion – even though it may -- but only that the retainer is engageable with said housing retainer groove at an angle not perpendicular to said axis to initially pass over said retainer engagement feature. That is, there is enough clearance within the retainer grooves 42, 44 such that the retainer may be inserted at an angle to pass over the detent 56 as discussed in paragraphs 28-30 and as illustrated in Figures 4-8 prior to engaging the detent 56 into the aperture 52. Notably, the retainer grooves 44 (Figure 2) even include a beveled edge to facilitate this clearance and that only a slight angle is required to pass over the retainer engagement feature. Applicant respectfully submits that the claim as amended is in proper condition according to §112.

Claims 1, 2, 4-7,11-13,17,20, 23, and 25-27 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Martin (5,038,589)* in view of *Mall* (2021241). Applicant reiterates that *Mall* is not Applicant's field of endeavor and is not reasonably pertinent to the particular problem that the applicant has solved. The classification is itself not dispositive. As admitted by the Examiner, one of ordinary skill in the lock art would not look to the field of hand tools. This is especially true of hand tools that are "quick change." The Examiner goes on to suggest that one would clearly look to the fastening arts to find a retainer clip. However, Applicant's invention is not just a clip but an entire lock assembly. That is the field one of ordinary skill in the art would be directed to. Applicant respectfully states that *Mall* is not analogous art to *Martin (5,038,589)* or to Applicant's lock invention. The proposed combination of *Martin (5,038,589)* in view of *Mall* is improper.

Even if the references are analogous and the combination were properly made, there are differences between the claimed invention and the teachings of the cited references so that the combination does not meet the limitations of Applicant's claims. *Martin* discloses that the clip has two parallel, spaced-apart prongs 42 which have a diameter slightly less than that of the spaced-apart bores 36 and are sufficiently spaced-apart to be received within the spaced-apart bores. [Col. 3; lines 34-39]

Claims 1, 11, and 17, recite a retainer engageable with said housing retainer groove **at an angle not perpendicular to said axis** to initially pass over said retainer engagement feature extending from the housing during insertion of the retainer into the housing retainer groove. *Martin* fails to discloses insertion at an angle to pass over a retainer engagement feature, as the only retainer engagement feature disclosed by *Martin* is lid 46 which is mounted **on top of** the clip after insertion of the clip into bores 36. Notably, *Martin* utilizes the term "bores" which requires perpendicular insertion. *Mall* does not correct this deficiency even if *Martin* were properly modified by *Mall*. *Mall* discloses only slots 38,40 which ***are perpendicular*** to the collar 28 (as represented by the perpendicular section 2-2). Applicant aggress with the Examiner that *Mall* discloses retainer legs that ***flex*** outward and around collar 18 upon initial insertion. But this flexing occurs in the plane defined by the plane 2-2 as limited by the slots 38, 40. The *Mall* retainer 36 is inserted perpendicular to the axis. The proposed combination also does not disclose or suggest mounting the retainer to ***initially pass over said retainer engagement feature extending from the housing*** during insertion of the retainer into the housing retainer groove. That is, there is no retainer engagement feature extending from the housing disclosed by either *Martin*, *Mall*, or a combination thereof. The amended claims are properly allowable.

Claim 3 was rejected under 35 U.S.C. §103(a) as being unpatentable over *Martin (5,038,589)* in view of *Mall* (2021241) and further in view of *Dauenbaugh*. *Martin* discloses a threaded nut 48 which is received upon threads located on the cylinder 14. To incorporate an extension and/or groove on the cylinder will prevent threading of the nut 48 onto the cylinder. It is

improper to modify the base reference in such a way that it ruins the goal or function of the base reference. The Examiner's proposed modification would do so.

Claims 8 and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Martin (5,038,589)* in view of *Mall* (2021241) and further in view of *Dauenbaugh* or *Myers*. Applicant respectfully traverses these rejections as there is absolutely no teaching, suggestion, or motivation to modify *Martin* in view of *Mall* and further in view of *Dauenbaugh* or *Myers* (claims 8 and 14) as proposed. Initially, the rejection fails because *Mall* is not analogous art to *Martin (5,038,589)* or to Applicant's lock invention and as such the combination fails. Furthermore, there is no motivation to combine the apertures of *Dauenbaugh* or *Myers* with *Martin* in view of *Mall*, because *Martin already* disclose a retainer feature – namely lid 46 which overlays retainer 44. *Mall* also discloses a retainer feature 60a (Figure 7). That is, there is no motivation to locate an aperture in the retainer of *Martin or Mall* because it would serve no purpose since retainer features are already disclosed by the cited references. That is there is no motivation to provide an aperture on a retainer to retain the retainer as proposed by the Examiner because there already exist retainer features. That is, the existence of the retainer retention features on the primary references teach away from incorporating another retainer retention feature such as Applicants aperture. The only motivation to make the combination as proposed is by following the knowledge disclosed within the present invention. This is impermissible usage of hindsight in an attempt to re-create Applicant's device. Accordingly, claims 8 and 14 are properly allowable.

New claims 28-33 recite further features of the present invention which are neither disclosed nor suggested by the cited references and are thus properly allowable.

Please charge $300 to Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds for 6 claims in excess of 20. If any additional fees or extensions of time are required, the Commissioner is authorized to charge Deposit Account No. 50-1482.

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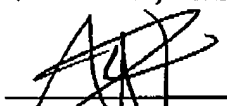
Applicant respectfully submits that this case is in condition for allowance. If the Examiner believes that a teleconference will facilitate moving this case forward to being issued, Applicant's representative can be contacted at the number indicated below.

Respectfully Submitted,

CARLSON, GASKEY & OLDS, P.C.



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